

CAPITAL PUNISHMENT  
Taught by Willis E. Bishop  
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Prayer: Our Father, we thank You for the discipline that you place into our lives, circumscribed by the principles of the written Word of the living God. We pause this morning to pray for our government, locally, statewide and nationally, that somehow these principles which You have given to us, some of them as everlasting principles, may become a part of a nation that will glorify you in a way that we've never done before. In the meantime, we pray for our meeting together, as we search the Scriptures in just one instance, that You will help us to determine for ourselves the right or wrong. For we ask it in Jesus' precious name. Amen.

One of our viewers has asked us to say a word about capital punishment, and that I will do this morning, departing from the book of Acts. I'm sure from various events that have taken place recently we have given some thought to it, and I'm expressing my own opinion. I want you to turn to the Word with me and what we do this morning will not cover the subject entirely, but I trust will lay before us those things which the Lord has said concerning it.

Let's look at Genesis 9. In chapter 9 we are in the story of Noah, and the flood is just over. He has come out of the ark and built an altar (chapter 8 verse 20) and worshiped the Lord. Incidentally, just this last week I've read an account of the group that has been over there looking for the ark. They have used some special equipment on Mount Ararat, and this group has come to the conclusion that the ark does not exist on Mount Ararat. I thought you might be interested in that conclusion.

Anyhow, it was there and Noah was there, and now in chapter 9 verse 1 we read: "And God blessed Noah and his sons and said unto them, 'Be fruitful and multiply and fill the earth. And the fear of you and the dread of you shall be upon every beast of the earth, upon every fowl of the heavens, and all that moveth upon the earth and all the fish of the sea, into your hand are they delivered. Every moving thing that liveth shall be food for you; even as the green plant have I given you all things. But the flesh with the life thereof which is the blood thereof shall ye not eat.'"

Without going into detail about those particular verses, I rather think that it is proper to conclude that up to this point in the history of mankind meat was not a part of their diet. At least the Scripture does not so indicate. But now with a change of a great many things God is pleased to add meat to the diet. At the same time He says "they are going to be afraid of you," verse 2, and you can't blame them for that. If you knew that man was after you to eat you you'd try to escape. But now let's go to verses 5 and 6.

"'But surely your blood of your lives will I require; at the hand of every beast will I require it, from the hand of man; from the hand

of every man's brother will I require the life of the man. Whoso sheddeth man's blood by man shall his blood be shed', for in the image of God made He man." Verse 5: "From the hand of every beast will I require it."

Without losing Genesis 9, turn to Exodus 21:28: "If an ox gore a man or a woman that they die, then the ox shall surely be stoned and his flesh shall not be eaten, but the owner of the ox shall be clear. But if the ox were accustomed to push with his horn in time past and it hath been testified to his owner, and he hath not kept him in, but that he hath killed a man or a woman, the ox shall be stoned and his owner also shall be put to death."

So, Genesis chapter 9 verse 5 says "at the hand of every beast will I require it." If a beast kills a human being, kill the beast. "And from the hand of man, from the hand of every man's brother will I require the life of the man. Whoso sheddeth man's blood, by man shall his blood be shed. For in the image of God made He man."

One other verse, James 3. In this chapter James is warning about the use of the tongue among other things. In verse 9 he says, "There-with [that is, with the tongue] bless we God, even the Father, and therewith curse we men, who are made after the image of God." Someone will say it's true in Genesis 1:27 that God created man in His own image and His own likeness but since he sinned and fell that's no longer true. But that is not correct. Sinful man is still created, James 3:9, "in the image and likeness of God." It is a perfect participle and indicates that even sinners are created in that image, and that is one of the reasons it is definitely wrong to kill a human being unless he has shed man's blood, and then he is responsible for his life according to Genesis 9:6.

Q. Would you please read Matthew 5:38 and so on, 38, 39, 40.

A. "Ye have heard that it hath been said, 'An eye for an eye and a tooth for a tooth' [this is a quotation from Exodus 21], but I say unto you that ye resist not the evil, but whosoever shall smite thee on the right cheek turn to him the other also. And if a man will sue thee at the law and take away thy coat, let him have thy outer garment also. And whosoever shall compel thee to go a mile, go with him two. Give to him that asketh thee and from him that wishes to borrow turn thou not away."

This is in the sermon on the mount. However, this does not deal with the killing of another individual.

Q. How about verse 44?

A. Verse 44, "Love your enemies; bless them that curse you; do good to them that hate you; and pray for them who despitefully use you and persecute you." That's correct, apart from the fact that the sermon on the mount refers to the Millennium, let's just stay with the verses. Paul didn't turn the other cheek in Acts 23 when he was on trial. Our Lord didn't in

John chapter 18. The context of this Matthew passage is apart from the question of capital punishment. These are treatments of enemies, but the question of the matter of someone killing someone and then having his life taken is not in the context of Matthew chapter 5, at least that I can see.

I'm glad for opposite opinions, it's all right, it's good discussion. Whether you agree with me or not, let's search the Scriptures.

- C. After you turn the second cheek you can take your part -- give him a whack.
- Q. Do you think it was a Christian attitude for them to sing and cheer when the hearse went by? [Ted Bundy's execution.]
- A. My answer is no, I don't. But as you will see by the time we get done this morning, I do think they took his life correctly under the law. But let's look at some other verses of Scripture. I'm not sure that any really genuinely born-again Christian stood by and cheered while the hearse went by. It is a sad situation.
- Q. Don't you think that his comments before his death did something for society in that he criticized pornography?
- A. I definitely think that's correct. I, however, heard some program since then which denied the fact that pornography affects anybody that looks at it. But how can anyone with good common sense say that? This morning in the paper is an account where a 5-year-old child and a 4-year-old child beat a little baby, stabbed it and pounded it with bricks. Where did they learn such a thing except from the wrong sources on television, etc.

Turn to Exodus 21, beginning at verse 12: "He that smiteth a man so that he die shall surely be put to death. And if a man lie not in wait but God deliver him into his hand, then I will appoint thee a place to which he may flee." [That is, if the killing was not intentional but was accidental, then he has a place to which he can flee.] Verse 14: "But if a man come presumptuously upon his neighbor to kill him craftily, then thou shalt take him from Mine altar that he may die."

In I Kings 2 we find that someone could flee to the altar and hold on to it to escape punishment. But the Lord said if someone kills a person presumptuously even the altar is not a place for safety.

Exodus 21:15: "And he that strikes his father or his mother shall surely be put to death." "He that strikes his father or his mother" -- the rabbis discussed that at quite some length and they decided that if he struck the father or mother hard enough to leave a bruise then he was subject to the death penalty. Verse 16: "And he that stealeth a man and selleth him [kidnapping] or if he be found in his

hand, he shall surely be put to death. [A kidnapper was supposed to be put to death.] And he that curseth his father or his mother shall surely be put to death." The rabbis said that was in connection with the use of the unpronounceable name for God that we have discussed previously. If he cursed his father or his mother using that divine name, he was to be put to death.

Let me turn to Numbers 35 in connection with the close of verse 13, "I will appoint thee a place to which he may flee." Numbers chapter 35. They were in the wilderness and the Lord was giving Moses some instructions for the people as to what they were supposed to do when they got into the land, one specific thing in this chapter. Numbers 35:1: "And the Lord spoke unto Moses in the plains of Moab by the Jordan near Jericho saying, 'Command the children of Israel that they give unto the Levites of the inheritance of their possessions cities to dwell in, and ye shall give also unto the Levites pasture lands for the cities round about them.'" [I remind you that Levi was one of the twelve sons of Jacob, but God chose the Levites to serve Him and therefore they were not given a territory such as Dan or Judah or any of those other tribes, but they were going to be given cities, 48 cities. Look at verse 7], "so all the cities that ye shall give to the Levites shall be 48 cities. Them shall ye give with their environs." Again, I'm sorry to say that for lack of time we'll not look at the details. But around the cities there were areas for pasture and for gardens, and that was to be their possession.

Of those 48 cities, in verse 6: "And among the cities which ye shall give unto the Levites there shall be six cities for refuge which ye shall assign for the manslayer that he may flee there." So there were six of those 48 cities to be places where someone who killed another person could flee. They are mentioned further in the chapter, but we will find [drawing] the Jordan River flowing from north to south, two and a half of the tribes settled on the east side of Jordan, the other tribes settled on the west side of Jordan, and those cities were chosen three on each side, in the north, in the central area and in the south. They were placed in such a way that someone who killed another person could flee into one of them, which was reasonably nearby. The reason for this was that there was a "goel", an avenger who would be seeking that fellow who killed his relative and kill him if he caught him. So this fellow could flee to one of the six cities.

I read now verse 11: "Then ye shall appoint you cities to be cities of refuge for you that the slayer may flee there who killeth any person unintentionally; and they shall be unto you cities for refuge from the avenger [or in Hebrew, the "goel"] that the manslayer die not until he stand before the congregation for judgment." Verse 24: "Then the congregation shall judge between the slayer and the goel of blood according to these ordinances. And the congregation shall deliver the slayer out of the hand of the goel, and the congregation shall restore him to the city of refuge into which he had fled and he shall abide in it until the death of the high priest. But if the slayer shall at any time come outside the border of the city of refuge to which he has fled and the goel find him outside the borders of the city and the goel of blood kill the slayer, he shall not be guilty of his blood."

Again, I am briefing somewhat. Suppose a fellow killed a person accidentally. He would flee to that city of refuge. Then the congregation, that is, the people from the place of the dead man, would come and take the slayer back home for trial. If it were determined that the killing was unintentional, he was returned to the city of refuge and there he would stay until the death of the high priest that was in office. Even if he killed unintentionally there was a penalty. Or if he was caught outside that city the goel could take revenge on him.

Suppose the fellow was guilty of intentional murder. When he was taken back to the congregation for trial and found guilty his life was taken from him according to the law of capital punishment.

On the aside -- the death of the high priest. The rabbis had a sort of a joke, but it was really serious. The parents of the fellow who killed someone unintentionally would pray for the early death of the high priest so their son could be freed. So year after year the family was treated well with gifts and so on so they wouldn't pray for the death of the high priest. That's not biblical, but I suppose that is human nature, isn't it.

Now in Numbers 35:31: "Moreover ye shall take no ransom for the life of a murderer who is guilty of death, but he shall surely be put to death." The reason for that, verse 33: "So ye shall not pollute the land wherein ye are; for blood defileth the land." Just keep the land pure and the people proper.

Q. Who was willing to pull the switch?

A. The congregation would do that. They are the ones that stoned the murderer. There were four methods of capital punishment, none hanging on a cross. It was the congregation itself which was to do the stoning.

Q. Would they vote on that?

A. Yes, they decided whether he killed intentionally or not -- kind of a jury, verse 24, "the congregation shall judge" -- that's all the people. Later on the Sanhedrin did that. But back here it was the congregation that had the responsibility of deciding and of carrying out the sentence.

Q. There was not a selected authority that did the killing? Anybody could do it?

A. No, it was the congregation. In other words, it was not a matter of strapping on your gun and going out and getting him. That was the job of the goel. Capital punishment was in the hands of society. That's what it means back in Genesis 9, "by man shall his blood be shed" -- man in the generic sense, not just an individual fellow going out and taking vengeance. There was a societal responsibility in connection with pronouncing the death sentence.

Leviticus 20:10: "And the man who committeth adultery with another man's wife, even he who committeth adultery with his neighbor's wife, the adulterer and the adulteress shall surely be put to death. And the man who lieth with his father's wife hath uncovered his father's nakedness, both of them shall surely be put to death; their blood shall be upon them [in other words, his stepmother]. [Verse 12] And if a man lie with his daughter-in-law, both of them shall surely be put to death; they have wrought perversion [that's a violation of the divine order]; and their blood shall be upon them. [Verse 13] If a man lie with mankind [homosexuality] as he lieth with a woman, both of them have committed an abomination; they shall surely be put to death; their blood shall be upon them. And if a man take a wife and her mother, it is wickedness; they shall be burned with fire, both he and they, that there be no wickedness among you. If a man lie with a beast [bestiality], he shall surely be put to death; ye shall slay the beast. [Verse 16] And if a woman approach unto any beast and lie down thereto, thou shalt kill the woman and the beast; they shall surely be put to death; their blood shall be upon them." Clear instances of capital punishment.

Q. Did Jesus ever condemn anyone to death?

A. I don't think he had the opportunity in particular, except the woman in John 8. Since He came to fulfill the law I would say that if He had to make a pronouncement He probably would have done that.

Q. Even at the cross He gave pardon to a murderer.

A. That's right, but He didn't say, "I forgive you so you get down from the cross."

Q. But that was Roman law of course.

A. But He did say "Your sins are forgiven." There's a difference, I think, between penalty for sins and penalty that's before society. That's true. When a person accepts Christ as his personal Saviour (I read this just a short time ago), if a person doesn't have any hair before he is saved he won't get some hair after he's saved just because he accepted Christ. If he owes a debt before he's saved he'll not be forgiven of that debt just because he accepted Christ. If he's guilty of a crime before he's saved he's not forgiven of that crime by society just because he's accepted Christ. That I think would be true of the thief on the cross. He was paying for his crime but he was forgiven of his sins before God.

We need to understand the New Testament with regard to this also. Turn to Acts 25. The Apostle Paul had been taken captive in the temple in Jerusalem. He had been hurried off to Caesarea because the Jews had a plan to kill him. That was revealed to him and he told the Romans and they hurried him off to Caesarea, where he appeared before Felix as a Roman governor, and after two years there Festus replaces him as governor. In chapter 25, Paul is appearing before Festus, the new governor with regard to the charges that the Jews had brought

against him, and here Paul is defending himself. Acts 25:10: "Then said Paul, 'I stand at Caesar's judgment seat where I ought to be judged. To the Jews have I done no wrong, as indeed thou very well knowest. [Now verse 11 is the important one.] For if I be an offender and have committed anything worthy of death, I refuse not to die. But if there be none of these things of which these accuse me, no man is able to deliver me unto them; I appeal unto Caesar.'"

Notice, Paul says, "I'm putting myself under the law of capital punishment. If I have committed anything worthy of death I refuse not to die." He didn't say, "I refuse to die," or "I shouldn't die." But he says, "I'm under that law and I refuse not to die. If I'm guilty, I'll die. I'm willing to do that. But if not, then no one is able to deliver me unto these Jews and I appeal, therefore, unto Caesar."

In Romans 13 the Apostle Paul says, "The government beareth not the sword in vain." I think the sword indicates the right over the life of their people. I appreciate the fact that some of you may differ with regard to it, but I think it's a clear indication that scripturally capital punishment is O.K.

I can't guarantee this, but I've understood, for example, that in certain Arab countries if a man is caught stealing his one hand is cut off. If he's caught stealing again the other hand is cut off. And in those countries there is practically no what? . . . stealing. I'm firmly convinced, even though I appreciate other opinions, that if our government were to enforce capital punishment in the realms that we have read this morning, we would have a much, much cleaner, much purer society than that in which we live today. I confess that there are times when I hesitate to go out at night, out into the county and the cities, because you don't know what is going to happen. A fellow knows that if he kills someone he can probably get away with it. Yesterday, a fellow who had killed a couple of teen-agers got a sentence of 17 years in prison, and he can be out in 3 years. So what? People can kill and escape punishment. But I believe if they knew they faced death or imprisonment for life, even if it were done unintentionally, there would be a lot more care than we have now concerning what goes on, and the other sins in our lives.

Is there anything else you would like to say this morning?

- C. Well, even Christians can ruin other people's reputations.
- A. That's true. Even Christians on occasion may kill. But they're responsible for it, even though they are Christians. They can pray, and ask the Lord to forgive them, but they should pay for their crime.
- C. There are some crimes that are so heinous that nothing really is punishment enough except capital punishment.

We are to love our enemies; understand that. I know that our lives are to be judged by the Lord as well. You may differ, but I quoted the Scriptures.